

1 [Zoning – Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in  
2 NC-1 Designated Parcels Along Randolph and Broad Streets, from 19<sup>th</sup> Avenue to San Jose  
3 Avenue.]

4 **Ordinance amending the San Francisco Planning Code by amending Section 263.20 to**  
5 **provide for a special height exception for ground floor uses in NC-1 designated parcels**  
6 **along Randolph and Broad Streets, from 19<sup>th</sup> Avenue to San Jose Avenue; amending**  
7 **Section 710.1, to refer to this special height exception; adopting findings, including**  
8 **environmental findings and findings of consistency with the priority policies of**  
9 **Planning Code Section 101.1 and the General Plan.**

10 NOTE: Additions are *single-underline italics Times New Roman*;  
11 deletions are *strike-through italics Times New Roman*.  
12 Board amendment additions are double-underlined;  
13 Board amendment deletions are ~~strikethrough normal~~.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Findings. The Board of Supervisors of the City and County of San  
16 Francisco hereby find and determine that:

17 (a) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
18 ordinance will serve the public necessity, convenience and welfare, for the reasons set forth in  
19 Planning Commission Resolution No. \_\_\_\_\_, and incorporates such reasons by this  
20 reference thereto. A copy of said resolution is on file with the Clerk of the Board of  
21 Supervisors in File No. \_\_\_\_\_.

22 (b) Pursuant to Planning Code Section 101.1, the Board of Supervisors finds that the  
23 ordinance is consistent with the Priority Policies of Section 101.1(b) of the Planning Code and  
24 with the General Plan and hereby incorporates a report containing those findings as if fully set  
25 forth herein. A copy of said report is on file with the Clerk of the Board of Supervisors in File  
No. \_\_\_\_\_.

Supervisor Avalos  
BOARD OF SUPERVISORS

1 (c) The Planning Department concluded environmental review of this ordinance  
2 pursuant to the California Environmental Quality Act, Public Resources Code Section 2100 et  
3 seq. Documentation of that review is on file with the Clerk of the Board of Supervisors in File  
4 No. \_\_\_\_\_.

5  
6 Section 2. The San Francisco Planning Code is hereby amended by amending Section  
7 263.20, to read as follows:

8 **SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT**  
9 **FOR GROUND FLOOR USES IN NCT 40-X AND 50-X HEIGHT AND BULK DISTRICTS,**  
10 **AND IN NC-2 AND NC-3 DESIGNATED PARCELS FRONTING MISSION STREET, FROM**  
11 **SILVER AVENUE TO THE DALY CITY BORDER, AND IN NC-1 DESIGNATED PARCELS**  
12 **ALONG RANDOLPH AND BROAD STREETS, FROM 19<sup>TH</sup> AVENUE TO SAN JOSE AVENUE.**

13 (a) Intent. In order to encourage generous ground floor ceiling heights for commercial  
14 and other active uses, encourage additional light and air into ground floor spaces, allow for  
15 walk-up ground floor residential uses to be raised slightly from sidewalk level for privacy and  
16 usability of front stoops, and create better building frontage on the public street, up to an  
17 additional 5' of height is allowed along major streets in NCT districts, *or in specific NC-3, NC-2,*  
18 *or NC-1 districts listed below*, for buildings that feature either higher ground floor ceilings for  
19 non-residential uses or ground floor residential units (that have direct walk-up access from the  
20 sidewalk) raised up from sidewalk level.

21 (b) Applicability. The special height exception described in this section shall only apply  
22 to projects that meet all of the following criteria:

23 (1) project is located in a 40-X or 50-X Height and Bulk District as designated on the  
24 Zoning Map;

1 (2) project is located in an NCT district as designated on the Zoning Map; or in a NC-2  
2 or NC-3 designated parcel fronting Mission Street, from Silver Avenue to the Daly City border,  
3 or on a NC-1 designated parcel along Randolph and Broad Streets, from 19<sup>th</sup> Avenue to San Jose  
4 Avenue.

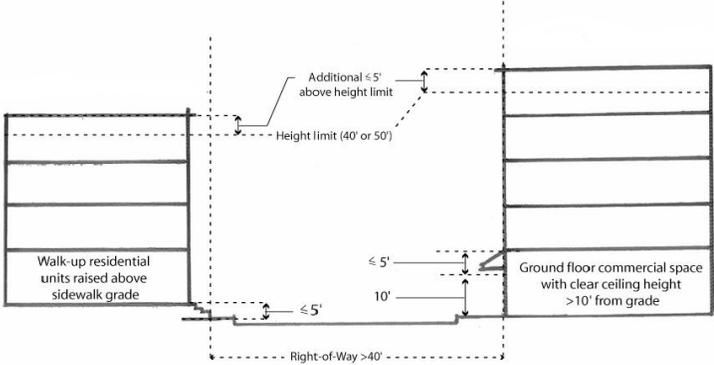
5 (3) project features ground floor commercial space or other active use as defined by  
6 Section 145.1(e) with clear ceiling heights in excess of ten feet from sidewalk grade, or in the  
7 case of residential uses, such walk-up residential units are raised up from sidewalk level;

8 (4) said ground floor commercial space, active use, or walk-up residential use is  
9 primarily oriented along a right-of-way wider than 40 feet;

10 (5) said ground floor commercial space or active use occupies at least 50% of the  
11 project's ground floor area; and

12 (6) except for projects located in NCT districts, the project sponsor has conclusively  
13 demonstrated that the additional 5' increment allowed through Section 263.20 would not add  
14 new shadow to any public open spaces.

15 (c) One additional foot of height, up to a total of five feet, shall be permitted above the  
16 designated height limit for each additional foot of ground floor clear ceiling height in excess of  
17 10 feet from sidewalk grade, or in the case of residential units, for each foot the unit is raised  
18 above sidewalk grade.



1 Section 3. The San Francisco Planning Code is hereby amended by amending Section  
2 710.1, to read as follows:

3 **SEC. 710.1. NC-1 -- NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

4 NC-1 Districts are intended to serve as local neighborhood shopping districts, providing  
5 convenience retail goods and services for the immediately surrounding neighborhoods  
6 primarily during daytime hours.

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8 These NC-1 Districts are characterized by their location in residential neighborhoods,  
9 often in outlying areas of the City. The commercial intensity of these districts varies. Many of  
10 these districts have the lowest intensity of commercial development in the City, generally  
11 consisting of small clusters with three or more commercial establishments, commonly grouped  
12 around a corner; and in some cases short linear commercial strips with low-scale,  
13 interspersed mixed-use (residential-commercial) development.

14  
15 Building controls for the NC-1 District promote low-intensity development which is  
16 compatible with the existing scale and character of these neighborhood areas. Commercial  
17 development is limited to one story. Rear yard requirements at all levels preserve existing  
18 backyard space.

19 NC-1 commercial use provisions encourage the full range of neighborhood-serving  
20 convenience retail sales and services at the first story provided that the use size generally is  
21 limited to 3,000 square feet. However, commercial uses and features which could impact  
22 residential livability are prohibited, such as auto uses, financial services, general advertising  
23 signs, drive-up facilities, hotels, and late-night activity; eating and drinking establishments are  
24 restricted, depending upon the intensity of such uses in nearby commercial districts.  
25

1 Housing development in new buildings is encouraged above the ground story in most  
 2 districts. Existing residential units are protected by prohibitions of conversions above the  
 3 ground story and limitations on demolitions.

4 SEC. 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1  
 5 ZONING CONTROL TABLE  
 6 TABLE INSET:

			NC-1
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
710.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, <u>263.20</u> , 270, 271	Varies See Zoning Map <u>Additional 5 feet for NC-1 parcels with active uses along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue, see § 263.20.</u>
710.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
710.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
710.13	Street Frontage		Required § 145.1
710.14	Awning	§ 790.20	P § 136.1(a)

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710.15	Canopy	§ 790.26	
710.16	Marquee	§ 790.58	
710.17	Street Trees		Required § 143
<b>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</b>			
710.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
710.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
710.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
710.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
710.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
710.25	Drive-Up Facility	§ 790.30	
710.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not

			recessed § 145.2(b)
710.27	Hours of Operation	§ 790.48	P 6 a.m.--11 p.m.; C 11 p.m.--2 a.m.
710.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
710.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)1
710.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

TABLE INSET:

No.	Zoning Category	§ References	NC-1		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
710.38	Residential Conversion	§ 790.84	P		
710.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
710.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P #		

1	710.41	Bar	§ 790.22	P #		
2						
3	710.42	Full-Service Restaurant	§ 790.92	P #		
4						
5	710.43	Large Fast Food Restaurant	§ 790.90			
6						
7	710.44	Small Self-Service Restaurant	§ 790.91	C #		
8						
9	710.45	Liquor Store	§ 790.55	P		
10						
11	710.46	Movie Theater	§ 790.64			
12						
13	710.47	Adult Entertainment	§ 790.36			
14						
15	710.48	Other Entertainment	§ 790.38	C		
16						
17	710.49	Financial Service	§ 790.110			
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19	710.50	Limited Financial Service	§ 790.112	P		
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21	710.51	Medical Service	§ 790.114	P		
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23	710.52	Personal Service	§ 790.116	P		
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TABLE INSET:

No.	Zoning Category	§ References	NC-1		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
710.53	Business or Professional Service	§ 790.108	P		
710.54	Massage Establishment	§ 790.60, § 1900 Health Code			
710.55	Tourist Hotel	§ 790.46			
710.56	Automobile Parking	§§ 790.8, 156, 160	C		
710.57	Automotive Gas Station	§ 790.14			
710.58	Automotive Service Station	§ 790.17			
710.59	Automotive Repair	§ 790.15			
710.60	Automotive Wash	§ 790.18			
710.61	Automobile Sale or Rental	§ 790.12			

1	710.62	Animal Hospital	§ 790.6			
2						
3	710.63	Ambulance Service	§ 790.2			
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5	710.64	Mortuary	§ 790.62			
6	710.65	Trade Shop	§ 790.124	P		
7						
8	710.66	Storage	§ 790.117			
9	710.67	Video Store	§ 790.135	C		
10						
11	710.68	Fringe Financial Service	§ 790.111			
12						
13	710.69	Tobacco Paraphernalia Establishments	§ 790.123	C		
14						
15	710.69A	Self-Service Specialty Food	§ 790.93	C#		
16						
17	Institutions and Non-Retail Sales and Services					
18						
19	710.70	Administrative Service	§ 790.106			
20						
21	710.80	Hospital or Medical Center	§ 790.44			
22						
23	710.81	Other Institutions, Large	§ 790.50	P	C	
24						
25	710.82	Other Institutions,	§ 790.51	P	P	P

	Small				
710.83	Public Use	§ 790.80	C	C	C
710.84	Medical Cannabis Dispensary	§ 790.141	P #		
RESIDENTIAL STANDARDS AND USES					
710.90	Residential Use	§ 790.88	P	P	P
710.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
710.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
710.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common § 135(d)		
710.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
710.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR NC-1 DISTRICTS  
TABLE INSET:

Article 7 Code Section	Other Code Section	Zoning Controls
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1	§ 710.40 § 2 710.41 § 3 710.42		Boundaries: All NC-1 Districts Controls: P if located more than 1/4 mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
4	§ 710.44 § 5 710.69A		Boundaries: All NC-1 Districts Controls: C if located more than 1/4 mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
6	§ 710.42 § 7 710.43 § 8 710.44 § 9 710.69A	§ 781.1	TARAVAL STREET RESTAURANT AND FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the two Taraval Street NC-1 Districts between 40th and 41st Avenues and 45th and 47th Avenues as mapped on Sectional Map 5 SU Controls: Full-service restaurants, small self-service restaurants and self-service specialty food are C; large fast-food restaurants are NP
10	§ 710.84 § 11 790.141		Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an NC-1 District.

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22 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

23 By: ANDREA RUIZ-ESQUIDE  
24 Deputy City Attorney  
25

Supervisor Avalos  
BOARD OF SUPERVISORS